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1617

P/1259-636

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Fernand LABRIE

Serial No.: 10/052,824

Filed: November 7, 2001

For: SELECTIVE ESTROGEN RECEPTOR MODULATORS IN COMBINATION WITH
ESTROGENS

Date: August 20, 2002

Group Art Unit: 1617

Examiner: S. Jiang

RECEIVED

AUG 29 2002

TECH CENTER 1600/2900

Assistant Commissioner for Patents
Washington, D.C. 20231

GP
Charmas
9/12/02

AMENDMENT/SUBMISSION

Sir:

This is a response to the Office Action mailed May 21, 2002 in the above-identified application. Reconsideration of the application is respectfully requested.

FEE CALCULATION

Any additional fee required has been calculated as follows:

_____ If checked, "Small Entity" status is claimed.

NO. CLAIMS AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR		EXTRA PRESENT		RATE		ADDIT. FEE	
TOTAL	28	MINUS	28	*=	0	X	(\$9 SE or \$18)	\$	0.00
INDEP.	2	MINUS	3	**=	0	X	(\$42 SE or \$84)	\$	0.00
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM					X		(\$140 SE or \$280)	\$	0.00
* not less than 20		** not less than 3						TOTAL \$	0.00

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

CONTINGENT EXTENSION REQUEST

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under

37 C.F.R. §1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 C.F.R. §1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

AMENDMENTS

 X If checked, amendment(s) to the specification and/or claims are submitted herewith.

1. If checked, an abstract is submitted as the last page of Appendix A.

2. Claims:

Please amend claims 6, 13 and 17 pursuant to 37 C.F.R. § 1.121(c)(i) as set forth in the “clean” version attached hereto as Appendix A. Entry is respectfully requested. A version with markings to show the changes made pursuant to 37 C.F.R. § 1.121(c)(ii) is attached hereto as Appendix B.

 If checked, the optional complete set of “clean” claims pursuant to 37 C.F.R. § 1.121(c)(3) is attached hereto as Appendix C.